

8553/206



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KAREL VAN DEN BERG

CUSTOMER SERVICE CENTER

Serial No. 09/764,292

Filed: January 19, 2001

For: AN UNMANNED VEHICLE FOR
DISPLACING MANURE

LETTER

Attn: INITIAL PATENT EXAMINATION DIVISION
To The Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Nonprovisional Application filed under 37 CFR 1.53(b), mailed March 3, 2001, our copy of the Application and the Patent and Trademark Office Stamped Receipt card for such Application show receipt of such papers. Your Notice dated March 3, 2001, wherein it was indicated that the Application does not include at least one Claim, was in error.

Normally, when an Patent Application is filed as a Continuation, such as a Continuation of PCT/NL00/00313, as was done in this case, a Preliminary Amendment, and the original executed Application (which appears to be the same as parent PCT/NL00/00313) are filed at the same time with other papers. The Preliminary Amendment cancels a number of claims. In this particular case the U.S. Patent and Trademark Office was therefore instructed to "Cancel all claims except Claim 1 without prejudice." Therefore, according to our files, our invariable practice, and U.S. Patent

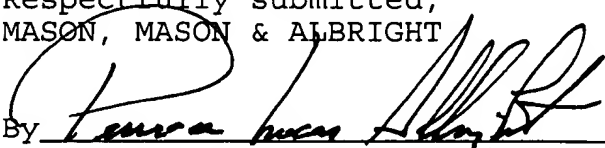
Office stamped receipt cards, there is always at least one independent Claim in the original Application and this was so in the Continuation of International Application PCT/NL00/00313, filed January 19, 2001.

We are attaching hereto a copy of Page 7 of original International Application No. PCT/NL00/00313 wherein Claim 1 is the first claim listed at beginning of the page. Also enclosed are the first and second pages of the Preliminary Amendment indicating that all claims are to be cancelled except Claim 1 without prejudice. Further, a copy of our stamped receipt card is enclosed.

In discussing the above data with the personnel in Customer Service Center, Initial Patent Examination Division, we understand that **no fee** is involved at this time. A copy of the U.S. Patent and Trademark Office Letter is also attached. Please advise if this is correct.

We will also appreciate receiving clarification of this matter and advice that the "NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION" has been withdrawn and that a Filing Receipt will be forthcoming, or that we otherwise be advised in the premises.

Respectfully submitted,
MASON, MASON & ALBRIGHT

By 
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Filed: March 14, 2001

Attached: Copy of PTO Stamped Receipt Card 1/9/01
Copy of Pages 1 and 2 of Prel. Amendment
Copy of Claim 1 (shown on Page 7 of PCT/NL00/313
PTO LETTER DATED MARCH 7, 2001

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/764,292	01/19/2001	Van den Berg Karel	8553/206

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CONFIRMATION NO. 6363

FORMALITIES LETTER



OC000000005833866

Date Mailed: 03/07/2001

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(i)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification does not include at least one claim.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

#3

In RE Application of:
Karel van den Berg
SERIAL NO. (to be assigned)
FILED: Jan. 19, 2001
For: AN UNMANNED VEHICLE FOR
DISPLACING MANURE



This acknowledges receipt by the
USPTO of:

1. Trans. ltr with Appln. (PCT/NL00/00313
SPEC. AND CLAIMS, 2 Drwgs sheets,);
Sm. Entity St; PREL. AMDT; SUBSTITUTE
SPEC. MARKED UP CPY OF SPEC; POWER ATTY;
PRIORITY DOCUMENT, ASSIGN AND RECORDATION
FORM, CHECK FOR \$593.00 (Check No. 8375)

Filed this 19TH day of Jan. 2001

Atty's Docket 8553/206